IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 26th day of February 2004
Criminal Misc. Bail application No. 35/2004
Order on the bail application of accused.

CRIMINAL SIDE

Nishan Singh S/o Sri Lakhvinder Singh
R/o Kotala Doom
P.S. Raja Sonsi Police
Zila Majeetha Amratsar (Punjab) … Applicant.

Versus

State of Uttaranchal …Opposite Party.

Arising out of case crime no. 728/2003
U/Ss 364A, 368, 120-B I.P.C.
P.S. Rudrapur
District U.S. Nagar

By the court

Hon'ble Irshad Hussain J.

Heard Sri Dharam Veer learned counsel for the applicant and learned A.G.A.

Two co-accused have been released on bail who were also not named in the F.I.R. According to the prosecution the mobile of the victim Rajendra Kalara which had been forcibly taken from him had been recovered from the possession of the applicant-accused. The learned counsel for the applicant drew my attention to the number of the mobile as given in the F.I.R. and also as mentioned in the memo of recovery dated 14.9.2003, copy of which has been furnished with the rejoinder affidavit to show that these numbers do not tally with each other. I have considered this aspect and find it a fit case for bail. The bail application is allowed.

The applicant-accused Nishan Singh be released in crime No. 728 of 2003 under sections 364-A, 368 and 120-B I.P.C. P.S. Rudrapur, District U.S.Nagar on his furnishing a personal bond and executing two sureties each in the like amount to the satisfaction of C.J.M., U.S.Nagar.

(Irshad Hussain, J.)

Dated: 26-02-2004
ISB